ORM PTO-1%2 (Modifical) U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371 **FEB** INTERNATIONAL APPLICATION NO. INTERNATIONAL FILING DATE PCT/NZ99/00137 24 August 1999 24 August 1998 TITLE OF INVENTION METHOD OF SELECTING AND/OR PROCESSING WOOD ACCORDING TO APPLICANT(S) FOR DO/EO/US ALBERT, Denis John; WALKER, John Corrie Fleming; DICKSON, Ross Lindsay; CLARK, Thomas Alan Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information: 1. X This is a FIRST submission of items concerning a filing under 35 U.S.C. 371. This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371. 2. This is an express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay 3. examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1). A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date. A copy of the International Application as filed (35 U.S.C. 371 (c) (2)) is transmitted herewith (required only if not transmitted by the International Bureau). \times has been transmitted by the International Bureau. is not required, as the application was filed in the United States Receiving Office (RO/US). A translation of the International Application into English (35 U.S.C. 371(c)(2)). A copy of the International Search Report (PCT/ISA/210). Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3)) are transmitted herewith (required only if not transmitted by the International Bureau). h. have been transmitted by the International Bureau. have not been made; however, the time limit for making such amendments has NOT expired. have not been made and will not be made. 9. A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)). 10 \boxtimes 11 A copy of the International Preliminary Examination Report (PCT/IPEA/409). A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 12. (35 U.S.C. 371 (c)(5)). Items 13 to 20 below concern document(s) or information included: An Information Disclosure Statement under 37 CFR 1.97 and 1.98. An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. \Box \times A FIRST preliminary amendment. A SECOND or SUBSEQUENT preliminary amendment. 16. A substitute specification. 17. 18. A change of power of attorney and/or address letter. 19 \times Certificate of Mailing by Express Mail 20. Other items or information:

U.S. APPLICATION	No. (JF KNOWN, SEE 37 CFR 1	international applic. PCT/NZ99/00			1	DOCKET NUMBER	
21. The fol	lowing fees are submitted:.				CALCULATIONS	S PTO USE ONLY	
⊠ Neither inter international	L FEE (37 CFR 1.492 (a) (1) - mational preliminary examination is search fee (37 CFR 1.445(a)(2) ional Search Report not prepared	n fee (37 CFR 1.482) nor paid to USPTO	\$1,00	00.00			
USPTO but	l preliminary examination fee (37 Internation Search Report prepar	ed by the EPO or JPO		50.00			
 but internation 	l preliminary examination fee (37 onal search fee (37 CFR 1.445(a)	(2)) paid to USPTO	\$71	10.00			
but all claim	I preliminary examination fee pairs did not satisfy provisions of PC	T Article 33(1)-(4)	\$69	90.00			
→ ☐ International and all claim	I preliminary examination fee pai as satisfied provisions of PCT Ar ENTER APPROPRI	ticle 33(1)-(4)	\$10	00.00			
C1			$20 \boxtimes 3$		\$1,000.00		
months from the ear	00 for furnishing the oath or deck liest claimed priority date (37 C		I RATI		\$130.00		
CLAIMS		NUMBER EXTRA	x \$18.0		\$180.00		
Total claims	30 - 20 = 6 - 3 =	3	x \$80.0		\$240.00		
Independent claims	L		A 300.0		\$0,00		
williple Dependen	t Claims (check if applicable). TOTAL OF	ABOVE CALCULA			\$1,550.00		
Reduction of 1/2 for must also be filed (r filing by small entity, if applica Note 37 CFR 1.9, 1.27, 1.28) (ch	able. Verified Small Entity S			\$0.00		
		SU	BTOTAL	=	\$1,550.00		
Processing fee of \$1 months from the ear	130.00 for furnishing the English cliest claimed priority date (37 C	FR 1.492 (f)).	20 🗆 3	0 +	\$0.00		
		TOTAL NATIONA	AL FEE	_=	\$1,550.00	<u></u>	
Ree for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable).					\$0.00		
TOTAL FEES ENCLOSED =				\$1,550.00			
16 16 16 16 16 16 16 16 16 16 16 16 16 1					Amount to be: refunded	\$	
E					charged	\$	
A check in the amount of \$1,550.00 to cover the above fees is enclosed. Please charge my Deposit Account No. in the amount of to cover the above fees. A duplicate copy of this sheet is enclosed.							
The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 19-0522 A duplicate copy of this sheet is enclosed.							
NOTE: Where an 1.137(a) or (b)) mu	appropriate time limit under 3 ist be filed and granted to resto	7 CFR 1.494 or 1.495 has need the application to pendin	ot been met, a ig status.	a petiti	on to revive (37 CF	R	
SEND ALL CORR	ESPONDENCE TO:		7/1	l mal	A. Van Hay		
	Hoozer, Reg. No. 32,761 Timmons & Collins		SIGNAT		-		
	•	Thomas H. Van Hozoer NAME					
	23589		32,761				
PATENT TRADEMARK OFFICE REGISTRATION NUMBER Feb. 23, 2001							
			DATE				

09/7635**11** JC02 Rec'd PCT/PTO 23 FEB 2001

CERTIFICATE OF Applicant(s): ALBERT DICKSO	Docket No. 31386		
Serial No.	Filing Date	Examiner	Group Art Unit
	DD OF SELECTING AND/O	R PROCESSING WOOD ACC	ORDING
International A eight (8) sheet Examination R \$1,550.00 filing Service "Expreenvelope address."	application No. PCT/NZ99/00 s of drawings; International eport; Preliminary Amendmeng fee; and return postcard is beess Mail Post Office to Addressed to: The Assistant P.C. 20231 on February 23, 20 (Typed or Addressed to Typed Or Addressed to	cate; Transmittal Letter (origina 137 including abstract, specifical Search Report; International Pent including revised abstract paing deposited with the United Stresse" service under 37 CFR Commissioner for Patents, 1001. Penelope Kress Printed Name of person Mailing Correspondence) Self Person Mailing Correspondence) EL759816098US Express Mail" Mailing Label Number)	cation and reliminary ge (8pgs.); ates Postal 1.10 in an Box PCT,

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:

ALBERT, Denis John et al.

U.S. National Phase Application of International Application Serial No.: PCT/NZ99/00137

International Filing Date: 24 August 1999

METHOD OF SELECTING AND/OR PROCESSING WOOD ACCORDING TO FIBRE CHARACTERISTICS

Assistant Commissioner of Patents

Box PCT

Washington, D.C. 20231

Sir:

PRELIMINARY AMENDMENT

Please enter the following preliminary amendment prior to examination of this application on the merits:

ABSTRACT

Applicant submits herewith an abstract of the invention retyped on a separate page in conformance with U.S. practice. The abstract is taken from that appearing on the cover of the published international application.

SPECIFICATION

Please amend the specification as follows:

Page 1, line 12, please delete "Background of Invention" and substitute therefor -- Description of the Prior Art --.

CLAIMS

Please amend the claims as follows:

- 1. (Amended) A method for predictively assessing one or more characteristics of wood fibre or wood pulp produced from solid wood, comprising determining the velocity of sound through the solid wood, and assessing characteristic(s) of wood fibre or wood pulp produced from the wood by reference to the velocity of sound through the solid wood.
- 2. (Amended) A method for predictively assessing one or more characteristics of wood fibre or wood pulp produced from solid wood, comprising the steps of causing a sound wave to be transmitted through the wood, determining the velocity of the sound wave through the wood, and comparing the result to stored information on fibre characteristic(s) versus sound velocity through the wood-type to determine the fibre characteristic(s) for the wood.
- 3. (Amended) A method for predictively assessing one or more characteristics of wood fibre or wood pulp produced from solid wood, comprising the steps of placing a sensing means capable of detecting sound in the wood in contact with or within sensing distance of one end of a length of wood, placing a second sensing means capable of detecting sound in the wood in contact with or within sensing distance of another end of the length of wood, causing a sound wave to be transmitted in the length of wood from one end to the other, detecting the sound at each end of the length of wood via the sensing means and determining the velocity of sound in the wood, and assessing characteristic(s) of wood fibre or wood pulp produced from the wood by reference to stored information on fibre characteristic(s) versus sound velocity through the wood.

- 4. (Amended) A method for predictively assessing one or more characteristics of wood fibre or wood pulp produced from solid wood including the steps of placing means capable of detecting both an original and reflected sound wave in contact with or within sensing distance of one end of a length of wood, causing a sound wave to be transmitted in the length of wood, detecting a reflected echo of the sound in the wood, determining the velocity of the sound in the wood, and assessing characteristic(s) of wood fibre or wood pulp produced from the wood by reference to stored information on fibre characteristics versus sound velocity through the wood.
- 5. (Amended) A method according to [any one of claims 1 to 4] <u>claim 1</u> including the step of causing a sound wave to be transmitted through the wood by impacting one end of the length of wood.
- 6. (Amended) A method according to [any one of claims 1 to 5] <u>claim 1</u> wherein the fibre characteristic is a measure of the average fibre length.
- 7. (Amended) A method according to [any one of claims 1 to 5] <u>claim 1</u> wherein the fibre characteristic is a measure of the strength of pulp formed from the wood.
- 8. (Amended) A method of segregating wood for use in pulp and paper or fibre board production including determining one or more fibre characteristics of the individual lengths of the wood using the method of [any one of the preceding claims] claim 1.
- 9. (Amended) Apparatus for predictively assessing one or more characteristics of wood fibre or wood pulp produced from solid wood, comprising [sensing means] a sensor capable of detecting the velocity of a sound wave through a length of wood, and [computer processing means] a computer comprising stored information on fibre characteristics versus sound velocity

through wood and arranged to determine the fibre characteristic(s) for the wood by reference to said stored information on fibre characteristics versus velocity through the wood.

- 10. (Amended) Apparatus for predictively assessing one or more characteristics of wood fibre or wood pulp produced from solid wood, comprising [means] <u>a sensor</u> capable of detecting both an original and reflected sound wave in a length of wood, and [computer processing means] <u>a computer</u> comprising stored information on fibre characteristics versus sound velocity through wood and arranged to determine the fibre characteristic(s) for the wood by reference to said stored information on fibre characteristics versus velocity through the wood.
- 11. (Amended) Apparatus according to claim [8 or] 9 arranged to determine a measure of the average fibre length.
- 12. (Amended) Apparatus according to claim [8] 9 arranged to determine a measure of strength of pulp formed from the wood.

Please add the following new claims:

- 13. A method according to claim 2 including the step of causing a sound wave to be transmitted through the wood by impacting one end of the wood.
- 14. A method according to claim 2, wherein the fibre characteristic is a measure of the average fibre length.
- 15. A method according to claim 2, wherein the fibre characteristic is a measure of the strength of pulp formed from the wood.
- 16. A method according to claim 3 including the step of causing a sound wave to be transmitted through the wood by impacting one end of the wood.

- 17. A method according to claim 3, wherein the fibre characteristic is a measure of the average fibre length.
- 18. A method according to claim 3, wherein the fibre characteristic is a measure of the strength of pulp formed from the wood.
- 19. A method according to claim 4 including the step of causing a sound wave to be transmitted through the wood by impacting one end of the wood.
- 20. A method according to claim 4, wherein the fibre characteristic is a measure of the average fibre length.
- 21. A method according to claim 4, wherein the fibre characteristic is a measure of the strength of pulp formed from the wood.
- 22. A method according to claim 5, wherein the fibre characteristic is a measure of the average fibre length.
- 23. A method according to claim 5, wherein the fibre characteristic is a measure of the strength of the pulp formed from the wood.
- 24. A method according to segregating wood for use in pulp and paper or fibre board production including determining one or more fibre characteristics of the individual lengths of wood using the method of claim 2.
- 25. A method of segregating wood for use in pulp and paper or fibre board production including determining one or more fibre characteristics of the individual lengths of wood using the method of claim 2.

- 26. A method of segregating wood for use in pulp and paper of fibre board production including determining one or more fibre characteristics of the individual lengths of wood using the method of claim 3.
- 27. A method of segregating wood for use in pulp and paper or fibre board production including determining one or more fibre characteristics of the individual lengths of wood using the method of claim 4.
- 28. A method of segregating wood for use in pulp and paper or fibre board production including determining one or more fibre characteristics of the individual lengths of wood using the method of claim 5.
- 29. Apparatus according to claim 10 arranged to determine a measure of the average fibre length.
- 30. Apparatus according to claim 10 arranged to determine a measure of strength of pulp formed from the wood.

REMARKS

Applicant submits herewith a Preliminary Amendment for entry prior to computation of the fee and examination of the application on the merits. The amendment is not intended to substantive change the claims but rather to address certain formalities and remove multiple dependencies in accordance with U.S. practice. In view of the favorable International Preliminary Examination Report, all claims appear to be allowable. Applicant believes the amendment submitted herewith conform the application to U.S. practice and it is believed that the amendment to the claims place them in allowable form. Should the examiner have any questions which may be resolved by

telephone conference, it is requested that the examiner contact applicant's attorney at 1-800-445-3460. Should this amendment necessitate any additional fees it may be charged to Deposit Account No. 19-0522.

Respectfully submitted,

HOVEY, WILLIAMS, TIMMONS & COLLINS

Thomas H. Van Hoozer, Reg. #32761

Suite 400

2405 Grand Boulevard

Kansas City, Missouri 64108

(816) 474-9050

(Docket No. 31386)